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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,130	09/21/2001	David A. Monroe	081829.00026	4512
53445	7590	11/30/2005	EXAMINER	
ROBERT C. CURFISS P.O. BOX 903 HUMBLE, TX 77347			PEESO, THOMAS R	
		ART UNIT	PAPER NUMBER	
		2132		

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/966,130	MONROE, DAVID A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thomas R. Peeso	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on \_\_\_\_.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-83 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1,20,22,26,28 and 31 is/are rejected.

7)  Claim(s) 2-19,21,23-25,27,29,30,32-83 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 01082002 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

Claims 74, 75, 78-80, 82 and 32 are objected to under 37 CFR 1.75 as being a substantial 'duplicate of claims 20, 21, 26, 27, 33, 43, and 44, respectively. In particular, the "sensor" of the new 'claims appears to be the same as the "sensor component" of the original claims. When two claims in jan application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as (being a substantial duplicate of the allowed claim--See MPEP § 706.03(k). -

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 20, 22, 26, 28, 31 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 5,971,597 to Baldwin et al.

As per claim 1, Baldwin et al.teach an appliance [multifunction network sensor system 10, at figure 1, eland column 3, lines 40-51] for a network based security system [at column 2, lines 18-20], comprising:

a. sensor [multifunction sensors 12, at figure 1 and column 3, lines 42-45] for generating a signal in response to a condition present at the sensor component [at column 7, lines 37-40];

As per claims 20, 22, 26, 28 and 31, Baldwin et al. disclose the limitations of these claims (see fig. 10).

b. a processor [network communications and control processor 20, at figure 1] for generating a digital j output signal corresponding to the sensor output signal [at column 6, lines 34-40]; and

c. a network interface [network transceiver 22, at figure 1] for transmitting the digital output signal via a digital network [data communication network 34, at figure 1, column 4, lines 21-22, and column 8, lines 31-36, which describes that the data (digital signal) is transmitted over the data transmission network using the appropriate protocol for the data transmission].

***Allowable Subject Matter***

Claims 2-19, 21, 23-25, 27, 29, 30, 33-83 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Peeso whose telephone number is 571 272-3809. The examiner can normally be reached on Mon.-Fri, 7:00 to 3:30 . The central FAX number for the office is 571 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571 272-3799.



Thomas R. Peeso  
Primary Examiner  
Art Unit 2132

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August 5, 2005